G. R. S. 58],

Previous references. 1924 (courts)

Gono 478-86/GA 852-4
8 24-9-(91)

File No. 33-24

Serial Nos. 1-2

Later references.

No 1111-35(1-3)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Two

Part B for October 1924.

SUBJECT

Certain amendments to inspection rules forms inspection of civil and criminal courts in the State.

Gono P. 2085-95 8 21-10-24

To the Hon'ble Chief Secretary
" Comptroller
" Dirs of Prohibition
" Supdt Govt Printing Press

Approved.

Mamaswamy Iyengar
20/11/24

3 313 189

Telgm:
"JUSTICE"

CHIEF COURT OF MYSORE,
Public Office Buildings, Cubbon Park,
Bangalore 14 8th July 1924

R. O. C. Dis. No. 115 / Secl Genl Stat.

04782

From

A. Sreenivasaragavachari, Esq., B.A., B.L.,
Registrar, Chief Court of Mysore.

To

B. NAGAPPA, Esq., Bar-at-Law,
Secretary to the Government of His Highness
the Maharaja of Mysore,
Local and Legislative Departments.

Sir,

I am directed to invite reference to Government Order No.478-86/E.A.G. 52-4 dated the 24th September 1917, laying down instructions and prescribing sets of questions for the periodical inspection of Civil and Criminal Courts in the State, and to state that, as detailed in the statement herewith appended, it is considered necessary to cancel or modify certain questions which have become obsolete in the light of recent amendments to rules, and to add certain others in the light of experience gained in ~~its~~ their working.

2. In view of the large number of questions involved and to facilitate reference and disposal, a tabular statement is appended herewith which will show the questions as they stand at present ~~exist~~, the reasons for the addition, cancellation or modification, and the form it is proposed to adopt.

3. I am to request that Government may be pleased to sanction the proposed changes and issue an ~~amending Government~~ amending Order ~~to~~

the

the one dated the 24th September 1917 above referred to.

I have the honour to be,

S i r,

Your most obedient servant,

Thiruvarapperumal

REGISTRAR. 17/7/24

TMN/2

C I V I L.

Tabular statement showing the addition, cancellation or modification proposed in the existing set of questions for the inspection of the Subordinate Civil Courts.

Serial No. of the question as now given.	Question as it now stands now.	Addition, cancellation or modification proposed and reasons therefor.	Question as it would read after the proposed amendment, etc.,	Remarks.
5.	Are adjournments generally granted or refused on sufficient or insufficient grounds and does the Judge or Munsiff note the reasons for granting or refusing adjournments?	The question is not happily worded and is rather ambiguous. It is proposed to omit the words "or refused" and "or insufficient".	Are adjournments generally granted on sufficient grounds and does the Judge or Munsiff note the reasons for granting or refusing adjournments?	
7.	Are records complete and properly arranged and divided according to rules?	This refers only to records indisposed of cases and to emphasise the distinction between this and question 6 the words "indisposed of cases" may be added after "are	Are records indisposed of cases complete and properly arranged and divided according to rules?	

records".

39.	Are the applications numbered in the way prescribed by Chief Court Circular Letter No.220, dated 28th September 1911?.....	Circular Latter No.220 of 28-9-11 has been superseded by circular letter No.252 of 9-12-20. Necessary alterations will be made.	Are the applications numbered in the way prescribed by the Chief Court Circular Letter No.252, dated 9th December 1920?..... ✓
55.	Are moneys entered in the cash book under the initials of the Judge / Munsiff ---------- as per Chief Court Rule of Practice No.129 dated 22nd October 1906?	Rule of Practice 129 of 22-10-06 is superseded by Rule of Practice No.158 dated ~~dated~~ 18th November 1920. Necessary alterations will be made.	Are moneys entered in the cash book under the initials of the Judge / Munsiff -------- as per Chief Court Rule of Practice No.158 dated 18th November 1920? ✓
59.	Are duty and penalty paid on documents brought on the cash book and are such entries initialed by the Judge?	Under Rule 11 of Rule of Practice 158 dated 18th November 1920, the amount of Duty and penalty is no longer brought on to cash book but is entered only in the Duty and Penalty and Remittance Registers, The question may be omitted.	-----

Do

62.	Do the cash book entries agree with those of the corresponding books?	Cash book, entries are entered only in Ledger and hence the word "Ledger" may be substituted for "corresponding books".	Do the cash book entries agree with those of the Ledger? √
65.	Are the payments made in cash book debited correctly in the Subsidiary Ledger?	The Subsidiary Ledgers having been abolished by Rule of Practice 158, these questions are unnecessary and may be omitted.	---?---
66.	Is the cash on hand with the Nazir plus the amount in personal deposit account equal to the total of the items in the Subsidiary Ledger?		---/---
75.	Are unused time expired process stamps destroyed in the presence of the Judge or Munsiff and a note thereof made in the Process Stamp Register?	Under instructions conveyed in R. Dis.33 of 18-19 (page 376 of the Civil Digest - 1919), note of refunds of unused time expired process stamp is not made in the Process Stamp Register No.XIV. The words"and a note thereof made in the Process Stamp Register" may be omitted.	Are unused time expired process stamps destroyed in the presence of the Judge or Munsiff ? √

83.	Are refunds generally noted inthese registers under the initials of the Judge or Munsiff?	For the words "these registers" the words "Register No.XV" may be substituted for reasons stated under question 75 supra.	Are refunds generally noted in Register No.XV under the initials of the Judge or Munsiff?
111 A 111 B		Since 1917, two new registers have been added, viz: Register No.XXIX-Register of Commissioners and Register No.XXX-Register of lands sold in pursuance of court sales. Questions as to whether these registers are being properly maintained will be added as Questions 111 A and 111 B.	111 A. Is Register No.XXIX-Register of Commissioners maintained properly? 111 B. Is Register No.XXX-Register of Lands sold in pursuance of court sales properly maintained?
147	Are all appointments made in accordance with the rules issued by the Chief Court?	The question does not cover the rules issued by Government or the Recruitment Board and therefore may be made general.	Are all appointments made in accordance with rules?
174.	Is undisbursed pay short-drawn invariably in the pay bill of the next month?	It is no longer the practice to short-draw undisbursed pay in the pay bill of the next month itself and it may be retained for a period of 3 months. For	Is the undisbursed pay short-drawn invariably in the pay bills, according to rules?

the

		the words "of the next month" the words "according to rules" may be substituted.	
183 A.		There is no question as regards inspection of Subordinate Courts. Hence added.	Are the Subordinate courts properly inspected?
		CRIMINAL WORK.	
15.	Have entries been made correctly in the appropriate columns of Registers I, III, V and VI.	Two more Registers have been added viz: III A and VI A. They are now included in the question.	Have entries been made correctly in the appropriate columns of Registers I, III, III A, V, VI, and VI A. ✓
23.	Are entries in Register No. IX (property).... there?	These Registers have been renumbered since. Necessary corrections have now been made in the questions.	Are entries in Register No. VII I (property) .... there? ✓
26.	Are entries made correctly in Register No. XI (stamps)?		Are entries made correctly in Register No. IX (Stamps).
27.	Are entries made correctly in Register No. XIV (cash)?		Are entries made correctly in Register No. XI (cash)...?
28.	-------	There is no question to cover this point. Hence added.	Are the calendars received from Subordinate Courts duly examined by the presiding officer?

29.	-------	There is no question at present regarding records in disposed of Criminal cases. Hence the addition of this question.	Have all the records of disposed of cases been divided into parts and properly indexed with title pages as required by the Chief Court R.P.No.86 dated 12-4-13. ✓

PNK.

II

QUESTIONS FOR THE INSPECTION OF CIVIL COURTS BY THE PRESIDING OFFICERS.

Tabular statement showing the addition, cancellation or modification proposed in the existing set of questions for the inspection of Civil Courts by the presiding officers.

Serial No. of the question as now given.	Question as it stands now.	Addition, cancellation or modification proposed and reasons therefor.	Question as it would read after ~~the proposed~~ amendment, etc.,	Remarks.
22.	Are unused process stamps for which no refund is claimed within time destroyed soon after the expiry of the time prescribed and is the/fact noted in both the Register of Process Stamps and that of unused Process Stamps?	Note of refunds of unused time expired Process Stamp is not now made in the Process Stamp Register No.XIV. So the words "both"/and "process stamps and that of" may be omitted.	Are unused Process stamps for which no refund is claimed within time destroyed soon after the expiry of the time prescribed and is the fact noted in the register of unused process stamps?	
32 A.	-----	These registers have been added since. Hence the addition of this question,	Are Registers of Commissions, of Lands Sold in pursuance of Court Sales and of Attachment of salaries properly maintained?	✓
41.	Are the Subsidiary Ledgers maintained correctly?	Subsidiary Ledgers are abolished. The question may be	----------	

		omitted.	
54.	Is undisbursed pay short-drawn invariably in the pay bill of the next month?	The Practice is changed. Such amounts may be kept for 3 months. So for the words "of the next month" the words "according to rules" may be substituted.	Is undisbursed pay short-drawn invariably in the pay bills according to ~~xxxxxx~~ rules? ✓
		SESSIONS WORK.	
(I) B.	Register of Mis. Cases.	Two more registers have been added since.	Registers of Miscellaneous and Revision cases Registers of Criminal Appeals and Mis:appeals. ✓
(I) C.	Register of Crl: Appeals		
(I) 4.	Are the disposals correctly entered in the Sessions cases and Miscellaneous cases Registers?	-------	Are the disposals correctly entered in the Sessions Cases, Miscellaneous cases Revision Cases Appeals and Mis:appeals Registers?
(11)	Are the entries in the Witness register correctly made.	This is repeated vide Q (5) may be omitted.	-----

PNK.

8

CRIMINAL.

III Tabular statement showing the additions proposed to the existing set of questions for the inspection of the Subordinate Criminal Courts.)

Serial No. of the question as now given.	Question as it stands now.	Addition proposed and reasons therefor.	Question as it would read after addition, etc.,	Remarks.
17.	Have entries been made correctly in the appropriate columns of Registers I, III & VI.	Two Registers have since been added.	~~The~~ Have entries been made correctly in the appropriate columns of Registers I, III, III A, VI and VI A?	✓
26.	Are entries in Register No.IX (property)..... there?	The numbers of these registers have been changed. Hence the alterations.	Are entries in Register No. VIII (property)...there?	
30.	Are entries made correctly in Register No.XI (stamps)?		Are entries made correctly in Register No.IX-(stamps)?	✓
32.	Are entries made correctly in Register No.XIV (cash)?		Are entries made correctly in Register No.XI (cash)?	
33.	Are entries made in Register No.XIII (power) ....date?		Are entries made in Register No.X (power) ... date?	
33 A.	------	This is a new Register since introduced. Hence a question is necessary about its maintenance.	Is the Register of complaints and reports properly maintained?	✓

(a) In the Register of appli

33 B.	------	At present there is no question on this register.	(a) [illegible] cations for copies properly maintained? (b) How many copyists are there? if none, who prepares copies? Has the necessary sanction been obtained for salaried officials writing copies and receiving remuneration. (c) How ~~many~~ many applications are pending and is the delay properly explained?
34.	(a) Have all records..... .....No.149 dated 10th July 1911?	Correct No. and date of R. Practice ~~is~~ 86 dated 12-4-13.	Have all records..... No.86 dated 12-4-13.
41 A.	-----	It is regretted that in spite of repeated instructions the work of checking calendars is very much neglected. Hence the necessity for this question.	Are calendars received from Subordinate Courts duly examined by the presiding officer? √
44 A.	---------	There is at present no question to cover this point. Hence added.	Are the Subordinate Courts properly inspected?
44 B.		-do- -do- -do- -do-	Is the work under the Special and Local Laws (if any) which the Magistrate has to administer, properly done?
44 C.	---------	At present there is no question ~~the~~ about these.	Are files of Rules of Practice and circular letters &c., properly maintained?

Pen.

BY PRESIDING OFFICER--CRIMINAL.

Tabular statement showing the addition, cancellation or modification proposed in the existing set of

IV (questions for the inspection of Criminal Courts by the Presiding officers.)

Serial No. of the question as now given.	Question as it stands now.	Addition, cancellation or modification proposed and reasons therefor.	Question as it would read after ~~the proposed~~ amendment.	Remarks.
* I (c)	Register of miscellaneous cases.	Two registers have been since added.	Register of Miscellaneous and Rivision cases.	✓
I (~~l~~)	Register of appeals.		Registers of Appeals and Mis: Appeals.	
I (k)	Register of first information reports received.	This has been superseded by a new Register viz: Register of complaints, etc.	Register of complaints and reports.	
3	Are entries correctly made in the several columns of Registers Nos.I, II, III, IV and VI?	Two more Registers have since been added.	Are entries correctly made in the several columns of Registers Nos.I, II, III, III A, IV, VI and VI A?	✓
14.	Are entries in Register No.IX (property).....?		Are entries in Register No.VIII (property).....?	
19.	Are all stamps produced in court correctly entered in the stamp register	The numbers of these Registers have been	Are all stamps produced correctly entered in the stamp Register (No.IX)?	✓

	(No.XI)?	since changed.	
22.	Are the entries made in Register No.XIII (power) correct and up to date.		Are the entries made in Register No.X (power) correct and up to date?
23.	Are payees' signatures properly taken in the cash book (Register No.XIV) ..... Rs.20?	No of the Register has been since changed.	Are payees' signatures properly taken in the cash book (No.XI)..... ..... Rs.20?

PNK.

CHIEF COURT.

Tabular statement showing the alterations etc., proposed in the existing set of questions for the inspection of the C H E I F C O U R T.

Serial No. of the question as now given.	Question as it stands now.	Alterations proposed with reasons therefor.	Question as it would read after the proposed alteration.	Remarks.
41.	Are the detailed contingent Bills of each month forwarded to the Comptroller with vouchers by the 1st week of the succeeding month as required by paragraph 210 of the Mysore Treasury Manual?	This is not the procedure now. The procedure laid down in article 136 (b) of the Mysore Account Code Vol:I has to be adopted. The question may be omitted.	---	
44.	Is undisbursed pay short-drawn invariably in the pay bill of the next month?	This is no longer the practice. (Vide remarks on question 174 - Civil Supra)	Is the undisbursed pay short drawn invariably in the pay bills, according to rules?	
45.	Is necessary sanction obtained	The Chief Court itself can		

allowance of incumbents of appointments requiring sanction of the Government?	ments in the H Judicial Department and Government sanction is unnecessary. Hence the question may be omitted.	----

Registrar.

PNK.

12

G.R.S. VI G 34]

SUBJECT.....

.....

.....

Diary No. of letter replied to..... 313

Section C5

File No. J 3-24

Serial No. 2

General and Revenue Secretariat

Proceedings of the Government of His Highness the Maharaja of Mysore

( )

, *the* *192*

Date of issue..... 21/10/24

Signed by.....

Read—

G.O. no: 478-82/S.A.G. 52-4; dated 24.9.1917 sanctioning certain rules for the Civil & criminal courts in this State.

Dy Dellin no: 115/24-25 dated 4.7.24 from the Registrar, chief court ~~requesting sanction for certain~~ stating that certain Corrections, Cancellations & Modifications in the above questions prescribed under the above G.O. have become necessary in the light of recent amendments to rules, and experience gained in their working upto till now and requesting sanction to the proposed changes as per Statement annexed.

Order Thereon No.

Order no: J. 2085-95 Jud Department

Approved.

May this be

i Printed ?

ii ~~treated as a standing order~~ ?

iii ~~published in the Gazette,~~ English Part 2 ?

~~iv translated~~ ?

v ~~placed at the~~ disposal of the press ?

vi ~~published in the Gazette,~~ Kannada Part ?

Secy to Govt
L & D Depts

To the Asst. Chief Secy
Law Department
All D.C.'s
The Supdt Printing & Stationery

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. P. 2085-95—Cts. 33-24-2, dated 21st October 1924.

Inspection Rules.

Sanctions certain amendments to —— for the inspection of civil and criminal courts in the State.

READ—

Government Order No. 478-86—E. A. G. 52-4, dated the 24th September 1917, sanctioning inspection rules for the civil and criminal courts in the State.

2. Letter No. 115—24-25, dated the 14th July 1924, from the Registrar, Chief Court, stating that certain corrections, cancellations and modifications in the set of questions prescribed in the above Government Order have become necessary in the light of recent amendments to rules and experience gained in their working up till now and requesting sanction to the proposed changes as per statement annexed.

ORDER NO. P. 2085-95—CTS. 33-24-2, DATED 21ST OCTOBER 1924.

Approved.

B. NAGAPPA,
Secretary to Government,
Local and Legislative Departments.

To—The Registrar, Chief Court.
The Comptroller to Government.
The District Magistrates of Districts.
The Superintendent, Government Printing and Stationery.

Exd.—D. K. M.

No. P. 2085-95—Cts. 33-24-2, dated 21st October 1924.

QUESTIONS FOR THE INSPECTION OF THE SUBORDINATE CIVIL COURTS.

Serial number of the question	Question as it would read after amendment.
	CIVIL.
5	Are adjournments generally granted on sufficient grounds and does the Judge or Munsiff note the reasons for granting or refusing adjournments ?
7	Are records in disposed of cases complete and properly arranged and divided according to rules ?
39	Are the applications numbered in the way prescribed by the Chief Court Circular Letter No. 252, dated 9th December 1920 ?
55	Are moneys entered in the Cash Book under the initials of the $\frac{\text{Judge}}{\text{Munsiff}}$ as per Chief Court Rule of Practice No. 158, dated 18th November 1920 ?
59	Delete.
62	Do the Cash Book entries agree with those of the Ledger ?
65 and 66	Delete.
75	Are unused time expired process stamps destroyed in the presence of the Judge or Munsiff ?
83	Are refunds generally noted in Register No. XV under the initials of the Judge or Munsiff ?
III A	Is Register No. XXIX Register of Commissioners maintained properly ?
III B	Is Register No. XXX Register of lands sold in pursuance of court sales properly maintained ?
147	Are all appointments made in accordance with Rules ?
174	Is the undisbursed pay short drawn invariably in the pay bills, according to rules ?
183 A	Are the Subordinate Courts properly inspected ?

	CRIMINAL WORK.
15	Have entries been made correctly in the appropriate columns of Registers I, III, III A, V, VI and VI A.
23	Are entries in Register No. VIII (property) there ?
26	Are entries made correctly in Register No. IX (stamps)?
27	Are entries made correctly in Register No. XI (cash)?
28	Are the calendars received from Subordinate Courts duly examined by the presiding officer ?
29	Have all the records of disposed of cases been divided into parts and properly indexed with title pages as required by the Chief Court R. P. No. 86, dated 12th April 1913.

No. P. 2085-95—Cts. 33-24-2, dated 21st October 1924.

QUESTIONS FOR THE INSPECTION OF CIVIL COURTS BY THE PRESIDING OFFICERS.

Serial number of the question as now given	Question as it would read after amendment.
22	Are unused process stamps for which no refund is claimed within time destroyed soon after the expiry of the time prescribed and is the fact noted in the register of unused process stamps ?
32 A	Are Registers of Commissions of lands sold in pursuance of Court sales and of Attachment of salaries properly maintained ?
41	Delete.
54	Is undisbursed pay short drawn invariably in the pay bills according to rules ?

SESSIONS WORK.

(I) B	Registers of Miscellaneous and Revision.
(I) C	Cases Registers of Criminal Appeals and Miscellaneous Appeals.
(1) 4	Are the disposals correctly entered in the Sessions Cases, Miscellaneous Cases, Revision Cases, Appeals and Miscellaneous Appeals Registers ?
II	Delete.

QUESTIONS FOR THE INSPECTION OF THE SUBORDINATE CRIMINAL COURTS.

Serial number of the question.	Question as it would read after amendment.
17	Have entries been made correctly in the appropriate columns of Registers I, III, III A, VI and VI A?
26	Are entries in Register No. VIII (property) .. there?
30	Are entries made correctly in Register No. IX (stamps)?
32	Are entries made correctly in Register No. XI (cash)?
33	Are entries made in Register No. X (power) .. date?
33 A	Is the Register of Complaints and reports properly maintained?
33 B	(*a*) Is the Register of applications for copies properly maintained? (*b*) How many copyists are there? If none, who prepares copies? Has the necessary sanction been obtained for salaried officials writing copies and receiving remuneration? (*c*) How many applications are pending and is the delay properly explained?
34	Have all records .... No. 86, dated 12th April 1913?
41 A	Are calendars received from Subordinate Courts duly examined by the presiding officer?
44 A	Are Subordinate Courts properly inspected?
44 B	Is the work under Special and Local Laws (if any) which the Magistrate has to administer, properly done?
44 C	Are files of Rules of Practice and circular letters, etc., properly maintained.

No. P. 2085-95—Cts. 33-24-2, dated 21st October 1924.

QUESTIONS FOR THE INSPECTION OF CRIMINAL COURTS BY THE PRESIDING OFFICERS.

Serial number of the question.	Question as it would read after amendment.
I (c)	Register of Miscellaneous and Revision Cases.
I (l)	Registers of Appeals and Miscellaneous Appeals.
I (k)	Register of complaints and reports.
3	Are entries correctly made in the several columns of Registers I, II, III, III A, IV, VI and VI A?
14	Are entries in Register No. VIII (property).....?
19	Are all stamps produced correctly entered in the Stamp Register (No. IX)?
22	Are the entries made in Register No. X (power) correct and up-to-date?
23	Are payees' signatures properly taken in the Cash Book (No. XI)....., Rs. 20?

QUESTIONS FOR THE INSPECTION OF THE CHIEF COURT.

Serial number of the question.	Question as it would read after amendment.
41	Delete.
44	Is the undisbursed pay short drawn invariably in the pay bills, according to rules?
45	Delete.

W D 873—GBP—490-6-11-24